

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ATLANTIC RECORDING CORPORATION,
a Delaware corporation; CAPITOL RECORDS, INC.,
a Delaware corporation; UMG RECORDINGS, INC.,
a Delaware corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general partnership;
BMG MUSIC, a New York general partnership;
MAVERICK RECORDING COMPANY,
a California joint venture; and INTERSCOPE
RECORDS, a California general partnership,

Plaintiffs,

v.

RON THOMAS,

Defendant.

Case No. C07-0143RSL

DEFAULT JUDGMENT AND
PERMANENT INJUNCTION

Having considered plaintiffs' "Application for Entry of Default Judgment by the Court," (Dkt. #7), and the remainder of the record, the Court finds as follows:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the eleven (11) sound recordings listed in Exhibit A to the Complaint (Dkt. #1). Having been adjudicated to be in default (Dkt. #6), defendant is liable to plaintiffs for infringement in the amount of \$8,250.

2. Defendant shall further pay plaintiffs' costs of suit herein in the amount of \$420.

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing

DEFAULT JUDGMENT AND
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1 plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- 2 • "Hang," on album "Yourself or Someone Like You," by artist "Matchbox 20"
- 3 (SR# 227-755);
- 4 • "Girls on Film," on album "Duran Duran," by artist "Duran Duran" (SR# 32-401);
- 5 • "Hungry Like the Wolf," on album "Rio," by artist "Duran Duran" (SR# 38-444);
- 6 • "Hysteria," on album "Hysteria," by artist "Def Leppard" (SR# 90-420);
- 7 • "I Cross My Heart," on album "Pure Country," by artist "George Strait" (SR#
- 8 146-421);
- 9 • "Open Arms," on album "Escape," by artist "Journey" (SR# 30-088);
- 10 • "Billie Jean," on album "Thriller," by artist "Michael Jackson" (SR# 41-965);
- 11 • "Don't Happen Twice," on album "Greatest Hits," by artist "Kenny Chesney"
- 12 (SR# 277-700);
- 13 • "She's Got It All," on album "I Will Stand," by artist "Kenny Chesney" (SR# 238-
- 14 371);
- 15 • "You Got Me," on album "The Spirit Room," by artist "Michelle Branch" (SR#
- 16 303-732);
- 17 • "Underneath it All," on album "Rock Steady," by artist "No Doubt" (SR# 305-
- 18 872);

19 and in any other sound recording, whether now in existence or later created, that is owned or
 20 controlled by plaintiffs (or any parent, subsidiary, or affiliate record label of plaintiffs)
 21 ("Plaintiffs' Recordings"), including without limitation, by using the Internet or any online
 22 media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to
 23 distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings
 24 available for distribution to the public, except pursuant to a lawful license or with the express
 25 authority of plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that
 26 defendant has downloaded onto any computer hard drive or server without plaintiffs'

1 authorization and shall destroy all copies of those downloaded recordings transferred onto any
2 physical medium or device in defendant's possession, custody, or control.

3 4. The Court enters judgment in favor of plaintiffs and against defendant.

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5 DATED this 30th day of April, 2007.

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8 Robert S. Lasnik
9 United States District Judge
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